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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT TACOMA**

9 \_\_\_\_\_ ) Case No.: 3:16-cv-5646  
10 **BRYAN ANDREWS,** ) **COMPLAINT;**  
11 Plaintiff, ) FAIR DEBT COLLECTION PRACTICES  
12 ) ACT (15 U.S.C. § 1692a, *et seq.*);  
13 vs. ) DEMAND FOR JURY TRIAL  
14 **ACCOUNTS RECEIVABLE INC.,** )  
15 Defendant. )  
16 \_\_\_\_\_ )

17 **I. INTRODUCTION**

18 1. This is an action for damages brought by an individual consumer for Defendant's  
19 violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter  
20 "FDCPA").  
21

22 **II. JURISDICTION**

23 2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d),  
24 and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.  
25

26 **III. PARTIES**

27 3. Plaintiff, Bryan Andrews ("Plaintiff"), is a natural person residing in Clark County,  
28 Washington.

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1           4. Defendant, Accounts Receivable, Inc. (“Defendant”), is a corporation engaged in  
2 the business of collecting debts by use of the mails and telephone. Defendant regularly attempts  
3 to collect debts alleged due another.

4  
5                                   **IV. FACTUAL ALLEGATIONS**

6           5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

7           6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

8           7. All activities of Defendant set out herein were undertaken in connection with the  
9 collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).  
10

11           8. Within the last year, Defendant took multiple actions in an attempt to collect a debt  
12 from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the following.

13           9. Failing to effectively convey the disclosures required by 15 USC 1692g(a) within  
14 5 days of the initial communication with Plaintiff, including failing to accurately state the amount  
15 of the debt by failing to indicate the applicable interest rate (15 USC 1692g(a));  
16

17           10. Using false representations or deceptive practices in connection with collection of  
18 a debt, including representing that the debt had not “gone into collection” yet, contradicting  
19 Defendant’s required disclosure that it is a debt collector (§ 1692e(10)).  
20

21           11. As a result of the aforementioned violations, Plaintiff suffered and continues to  
22 suffer injuries to Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and  
23 severe emotional distress.

24           12. Defendant intended to cause, by means of the actions detailed above, injuries to  
25 Plaintiff’s feelings, personal humiliation, embarrassment, mental anguish and severe emotional  
26 distress.  
27

28           13. Defendant’s actions, detailed above, were undertaken with extraordinary disregard

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of, or indifference to, known or highly probable risks to purported debtors.

14. To the extent Defendant's actions, detailed in paragraphs 8-15, were carried out by an employee of Defendant, that employee was acting within the scope of his or her employment.

**COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

15. Plaintiff reincorporates by reference all of the preceding paragraphs.

16. The preceding paragraphs state a *prima facie* case for Plaintiff and against Defendant for violations of the FDCPA.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages pursuant to 15 U.S.C. 1692k;
- C. Statutory damages pursuant to 15 U.S.C. § 1692k;
- D. Costs, disbursements and reasonable attorney's fees for all successful claims, and any unsuccessful claims arising out of the same transaction or occurrence as the successful claims, pursuant to 15 U.S.C. § 1692k; and,
- E. For such other and further relief as may be just and proper.

**PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

Dated this 21<sup>st</sup> day of July, 2016

By: s/Joshua Trigsted  
Joshua Trigsted, WSBA#42917  
Attorney for Plaintiff

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